

**Introduced by Senator Alquist**

February 17, 2006

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An act to amend Section 4688.5 of the Welfare and Institutions Code, relating to developmental services.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1337, as introduced, Alquist. Developmental services: rental assistance.

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to allocate funds to private nonprofit regional centers for the provision of community services and support for persons with developmental disabilities and their families, including, but not limited to, residential placement, and sets forth the duties of the regional centers, including, but not limited to, development of individual program plans and the purchase and monitoring of services.

Existing law permits the department to approve a proposal in designated regions, to provide for, secure, and ensure the full payment of a lease or leases on housing developed or acquired for occupancy by persons with developmental disabilities, if certain conditions are met.

This bill would include within this authority the development of a mixed-use community to serve consumers moving to community placement from Agnews Developmental Center.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 4688.5 of the Welfare and Institutions Code is amended to read:

4688.5. (a) Notwithstanding any other provision of law to the contrary, the department may approve a proposal or proposals by Golden Gate Regional Center, Regional Center of the East Bay, and San Andreas Regional Center to provide for, secure, and assure the full payment of a lease or leases on housing, developed pursuant to this section, *including, but not limited to, the development of a mixed-use community to serve a portion of the consumers moving to community placement from the Agnews Developmental Center*, based on the availability for occupancy in each home, if all of the following conditions are met:

(1) The acquired or developed real property is available for occupancy by individuals eligible for regional center services and is integrated with housing for people without disabilities.

(2) The regional center has approved the proposed ownership entity, management entity, and developer or development entity for each project, and, prior to granting the approval, has consulted with the department and has provided to the department a proposal that includes the credentials of the proposed entities.

(3) The costs associated with the proposal are reasonable.

(4) The proposal includes a plan for a transfer at a time certain of the real property's ownership to a nonprofit entity to be approved by the regional center.

(b) Prior to approving a regional center proposal pursuant to subdivision (a), the department, in consultation with the California Housing Finance Agency and the Department of Housing and Community Development shall review all of the following:

(1) The terms and conditions of the financing structure for acquisition and/or development of the real property.

(2) Any and all agreements that govern the real property's ownership, occupancy, maintenance, management, and operation, to ensure that the use of the property is maintained for the benefit of persons with developmental disabilities.

(c) No sale encumbrance, hypothecation, assignment, refinancing, pledge, conveyance, exchange or transfer in any

1 other form of the real property, or of any of its interest therein,  
2 shall occur without the prior written approval of the department  
3 and the Health and Human Services Agency.

4 (d) Notice of the restrictions pursuant to this section shall be  
5 recorded against the acquired or developed real property subject  
6 to this section.

7 (e) At least 45 days prior to granting approval under  
8 subdivision (c), the department shall provide notice to the chairs  
9 and vice chairs of the fiscal committees of the Assembly and the  
10 Senate, the Secretary of the Health and Human Services Agency,  
11 and the Director of Finance.

12 (f) The regional center shall not be eligible to acquire or  
13 develop real property for the purpose of residential housing.